

MINUTES

North Carolina Criminal Justice Education and Training Standards Commission

Planning & Standards Committee May 17, 2017

The Planning & Standards (P&S) Committee of the North Carolina Criminal Justice Education and Training Standards Commission met at Wake Tech Public Safety Center, Raleigh on May 17, 2017 at 10:30am.

Committee Members Present

Commissioner Jeff Welty, Chair
Commissioner Brent Herron
Commissioner Trey Robison
Commissioner Teresa Jardon
Commissioner James Fisher-Davis
Commissioner Richard Epley
Commissioner Robert Hassell
Commissioner James Moore

Guests Present

Monica Shabo, OSDT
Nathan Mizell, Nash CC
Chief Jeff Smythe, Burlington PD
Chief David Hess, Roxboro PD
Trevor Allen, NC Justice Academy

CJ Standards Staff Present

Steven Combs
Richard Squires
Charminique Williams
Dawn Suffel
Susan Myers
Thomas Sheinall

Call to Order

Committee Chair Jeff Welty called the meeting to order and declared a quorum.

Approval of the February 15, 2017 Meeting Minutes

Motion to approve was made by Commissioner Richard Epley and **seconded** by Commissioner Robert Hassell.
Motion carried unanimously.

Rule-Making Hearing

Under separate cover.

Proposed Rule Revisions

12NCAC 09C .0306 Item (d) – LATERAL TRANSFER OF LE OFFICERS

Chief Smythe, Burlington PD, appeared before the committee to ask the Commission to consider allowing a transferring officer a waiver for paperwork to expedite the officer's start date. Chief Smythe explained that requested permission would allow the officer to begin working with his or her new agency while completing the necessary paperwork for CJ Standards Division (fingerprints, drug screen, medical examination). The transferring officer must still complete the required items and receive Division approval within 60-days of starting with his or her new agency. Chief Hess, Roxboro PD, also appeared before the committee and stated his support of the request by stating that this change would highly benefit the smaller agencies across the state.

Other rules affected include: 12 NCAC 09A .0206 – SUMMARY SUSPENSION; 12 NCAC 09B .0101 – MINIMUM STANDARDS FOR CJ OFFICERS; and 12 NCAC 09B .0104 – MEDICAL EXAMINATION.

Division Director Steven Combs informed the committee that the proposed change will not negatively impact staff workload.

Motion to amend the rule to allow the CJ Standards Division 60-days, upon receiving request from the agency's department head, approval for the officer to begin working with his or her new agency while completing the necessary paperwork, and to request from the full Commission rule-making authority of this and other affected rules was made by Commissioner Robert Hassell and **seconded** by Commissioner Teresa Jardon. The motion further stipulates that amendment specifically applies to currently certified, full-time officers with no break in service. **Motion carried.**

12 NCAC 09B .0101 MINIMUM STANDARDS FOR CJ OFFICERS

The committee discussed options for modifying language concerning moral character of law enforcement officers to be parallel with that of corrections officers in 12 NCAC 09G .0206. Options included either adding same moral character language to 09B .0101 to mirror what is in 09G .0206 or create a new rule. **Motion** to select the option of adding same moral character language to 09B .0101 to mirror what is in 09G .0206 and to ask the full Commission for rulemaking authority was made by Commissioner Robert Hassell and **seconded** by Commissioner Teresa Jardon. **Motion carried.**

12 NCAC 09B. 0301 Item (g) CERTIFICATION OF INSTRUCTORS

The committee discussed and agreed that non-law enforcement instructors should have his or her instructor certification automatically suspended or revoked if his or her professional certification (for example, as an EMT) is suspended or revoked. **Motion** was made to adopt rule revision to allow for automatic suspension/revocation as stated, but with language added to include an obligation for the instructor to self-report to the Commission within 30-days of suspension from their respective certifying body and to ask the full Commission for rule-making authority was made by Commissioner James Moore and **seconded** by Commissioner Robert Hassell. **Motion carried.**

Decennial Rules Review

Ms. Charminique Williams presented the committee with an update of requirements in response to **G.S. 150B-21.3A** (Periodic Review and Expiration of Existing Rules) in which state legislature requires the “Rules Review Commission (RRC)” to enforce a process for affected agencies’ review of respective active rules within the NC Administrative Code every 10 years. Ms. Williams explained that the CJ Commission has a responsibility to complete the process by March 2019 with an overall goal of deciding necessity of rules. She also provided a list of suggested (40+) rules, selected based on group subject matter, to be considered by the committee at the August meeting.

Motion to Adjourn

Motion to adjourn was made by Commissioner Brent Herron and **seconded** by Commissioner Richard Epley.
Motion carried.

RULEMAKING HEARING RULES REVISIONS

**North Carolina Criminal Justice
Education and Training Standards Commission
May 17, 2017**

Call to Order

The Planning & Standards (P&S) Committee of the North Carolina Criminal Justice Education and Training Standards Commission met at the Wake Technical Community College, Public Safety Center on May 17, 2017. This committee presided over the public Rulemaking Hearing with Committee Chair Jeff Welty calling the hearing to order at 10:30 am. Commissioner Welty stated the purpose of the hearing is to receive remarks from any persons interested in commenting on the proposed amendments to the Commission's Administrative Rules.

Committee Members Present

Commissioner Jeff Welty, Chair
Commissioner Brent Herron
Commissioner Trey Robison
Commissioner Teresa Jardon
Commissioner James Fisher-Davis
Commissioner Richard Epley
Commissioner Robert Hassell
Commissioner James Moore

Guests Present

Monica Shabo, DPS OSDT
Nathan Mizell, Nash CC
Jeff Smythe, Burlington PD
David Hess, Roxboro PD
Trevor Allen, NC Justice Academy

CJ Standards Staff Present

Steven Combs
Richard Squires
Charminique Williams
Dawn Suffel
Susan Myers
Thomas Sheinall

PUBLIC HEARING

Commissioner Welty advised that proposed amendments would be read and, if needed, the amendments would be explained by staff and stated that after the rules are presented and explained, anyone wishing to comment would be allowed to do so. Mr. Welty read into the record the proposed rule amendments ---

➤ **12 NCAC 09B .0205 (b)(4)(D) – BASIC LAW ENFORCEMENT TRAINING**

Updates BLET topic title "Interviews" to reflect course content.

(D) ~~Interviews: Field and In-Custody~~ Interviews

16 Hours

Motion to adopt change and forward to the full Commission for approval was made by Commissioner Brent Herron and **seconded** by Commissioner Richard Epley. **Motion carried.**

➤ **12 NCAC 09B .0235 (a)(b) – BASIC TRAINING – JUVENILE COURT COUNSELORS AND CHIEF COURT COUNSELORS**

Modifies several topics under basic training lesson plans to align with agency practice. Changes the total hours from 154 to 151.

(a) The basic training course for Juvenile Court Counselors and Chief Court Counselors shall consist of a minimum of ~~154~~ 151 hours of instruction designed to provide the trainee with the skills and knowledge to perform those tasks essential to function as a Juvenile Court Counselor and a Chief Court Counselor.

(b) Each basic training course for Juvenile Court Counselors shall include training in the following topic areas:

(1) Juvenile Justice Common Core:	
(A) Juvenile Justice Overview	2 hours
(B) <u>(A)</u> Basic Individual Counseling Skills	8 hours
(C) <u>(B)</u> Interpersonal Communication Skills	8 hours
(D) <u>(C)</u> Working with Families	3 hours
(E) <u>(D)</u> Characteristics of Delinquents	4 hours
(F) <u>(E)</u> Unlawful Workplace Harassment	2 hours
(G) <u>(F)</u> Career Survival: Integrity and Ethics in the North Carolina Department of Public Safety Workplace	2 hours
(H) <u>(G)</u> Staff and Juvenile Relationships	4 hours
(I) <u>(H)</u> Gang Awareness	4 hours
(J) <u>(I)</u> Situational Awareness and Risk Assessment	4 hours
(K) <u>(J)</u> Restraints, Controls and Defensive Techniques	28 hours
(L) <u>(K)</u> Mechanical Restraints	4 hours
(M) Secure Transportation	4 hours
(N) <u>(L)</u> Mental Health	8 hours
(O) <u>(M)</u> CPR	4 hours
(P) <u>(N)</u> First Aid	4 hours
(Q) <u>(O)</u> Employee Fitness and Wellness	4 hours
(R) Multi-Generational Workforce	3 hours
(S) Understanding Workplace Differences	4 hours
<u>(P)</u> Trauma and Delinquents	6 hours
<u>(Q)</u> Driver and Secure Transport Safety	8 hours
<u>(R)</u> DMC- Addressing DMC within the JJ System	2 hours
<u>(S)</u> Verbal De-escalation for Juvenile Justice	4 hours
Total Hours	104 111 hours
(2) Juvenile Court Counselor Specific:	
<u>(A)</u> Roles and Responsibilities	8 hours
<u>(B)</u> Juvenile Law	8 hours

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(C)	Intake	8 hours
(D)	Risk and Needs Assessment	4 hours
(E)	Report Writing and Documentation	12 hours
(F)	Interviewing	6 hours
(G)	Driver Safety	4 hours
	Total Hours	50 40 hours
	Total Course Hours	154 151 hours

Motion to adopt change and forward to the full Commission for approval was made by Commissioner Teresa Jardon and **seconded** by Commissioner Robert Hassell. **Motion carried.**

➤ **12 NCAC 09B .0236 (a)(b) – BASIC TRAINING – JUVENILE JUSTICE OFFICERS**

Modifies several topics under basic training lesson plans to align with agency practice. Changes the total hours from 152 to 151.

(a) The basic training course for Juvenile Justice Officers shall consist of a minimum of ~~152~~ 151 hours of instruction designed to provide the trainee with the skills and knowledge to perform those tasks essential to function as a juvenile justice officer.

(b) Each basic training course for Juvenile Justice Officers shall include training in the following identified topic areas:

(1) Juvenile Justice Common Core:	
(A) Juvenile Justice Overview	2 hours
(B) (A) Basic Individual Counseling Skills	8 hours
(C) (B) Interpersonal Communication Skills	8 hours
(D) (C) Working with Families	3 hours
(E) (D) Characteristics of Delinquents	4 hours
(F) (E) Unlawful Workplace Harassment	2 hours
(G) (F) Career Survival: Integrity and Ethics in the North Carolina Department of Public Safety Workplace	2 hours
(H) (G) Staff and Juvenile Relationships	4 hours
(I) (H) Gang Awareness	4 hours
(J) (I) Situational Awareness and Risk Assessment	4 hours
(K) (J) Restraints, Controls and Defensive Techniques	28 hours
(L) (K) Mechanical Restraints	4 hours
(M) Secure Transportation	4 hours
(N) (L) Mental Health	8 hours
(O) (M) CPR	4 hours
(P) (N) First Aid	4 hours
(Q) (O) Employee Fitness and Wellness	4 hours
(R) Multi-Generational Workforce	3 hours
(S) Understanding Workplace Differences	4 hours
(P) Trauma and Delinquents	6 hours
(Q) Driver and Secure Transport Safety	8 hours
(R) DMC-Addressing DMC within the JJ System	2 hours
(S) Verbal De-escalation for Juvenile Justice	4 hours
Total Hours	104 <u>111</u> hours
(2) Juvenile Justice Officer Specific:	
(A) Treatment Program Operations	4 hours

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(B)	Maintaining Documentation of Activities and Behaviors	6 <u>8</u> hours
(C)	Basic Group Leadership Skills	8 hours
(D)	Crisis Intervention Techniques	8 hours
(E) (D)	Effective Behavior Management	12 <u>10</u> hours
(F) (E)	Health Services Overview	2 hours
(G)	Trauma and Delinquents	6 hours
(H) (F)	Contraband and Search Techniques	2 hours
(G)	Suicide Prevention and Response	<u>6 hours</u>
Total Hours		48 <u>40</u> hours
Total Course Hours		152 <u>151</u> hours

Motion to adopt change and forward to the full Commission for approval was made by Commissioner Teresa Jardon and **seconded** by Commissioner James Fisher-Davis. **Motion carried.**

➤ **12 NCAC 09C .0216 – RECOMMENDATION FOR GENERAL INSTRUCTOR CERTIFICATION**

Adds the In-Service Training Coordinator as a person authorized to recommend General Instructor certification, and removes the Agency Head.

~~The Recommendation~~ recommendation for General Instructor ~~Certification~~, certification, pursuant to Rule 9B .0303(b)(1) is ~~shall be~~ completed by a ~~school director~~ School Director or ~~agency head~~ In-Service Training Coordinator after an instructor has finished the required probationary year. In the form the official recommends that the instructor receive general instructor certification and certifies that the official has observed and evaluated the instructor to be a teaching professional. The form (F-12) used for this recommendation is located on the agency's website: <http://www.ncdoj.gov/getdoc/f2ea275c-187d-4d7e-825d-98a8662f7443/F-12.aspx>.

Motion to adopt change and forward to the full Commission for approval was made by Commissioner James Fisher-Davis and **seconded** by Commissioner Robert Hassell. **Motion carried 7-1.**

Commissioner Welty stated for the record that there were no written comments or objections received by the rulemaking coordinator and that no guests were present at today's meeting who shared any comments or objections concerning these rules. Mr. Welty called an end to the rulemaking hearing.